

**Exercise of Authority under Section 212(d)(3)(B)(i)
of the Immigration and Nationality Act**

Following consultations with the Attorney General, the Secretary of Homeland Security and the Secretary of State hereby conclude, as a matter of discretion in accordance with the authority granted to each of us individually by Section 212(d)(3)(B)(i) of the Immigration and Nationality Act ("the Act"), considering the foreign policy and national security interests deemed relevant in these consultations, that Subsection 212(a)(3)(B)(iv)(VI) of the Act shall not apply with respect to material support provided prior to December 31, 1992, to the Front Uni   de Lutte des Races Opprim  es (FULRO) by an alien who satisfies the agency or U S Consular Officer that he

- a) is seeking a benefit or protection under the Act and has been determined to be otherwise eligible for the benefit or protection,
- b) has undergone and passed relevant background and security checks, and
- c) has fully disclosed, in all relevant applications and interviews with U S government representatives and agents, the nature and circumstances of each provision of such material support

Implementation of this determination will be made by U S Citizenship and Immigration Services (USCIS), in consultation with U S Immigration and Customs Enforcement (ICE), or by U S Consular Officers, as applicable, who shall ascertain, to their satisfaction, and in their discretion, that the particular applicant meets the criteria set forth above

This exercise of authority may be revoked as a matter of discretion and without notice at any time with respect to any and all persons subject to it Any determination made under this exercise of authority as set out above shall apply to any subsequent benefit or protection application, unless such exercise of authority has been revoked

This exercise of authority shall not be construed to prejudice, in any way, the ability of the U S Government to commence subsequent criminal or civil proceedings in accordance with U S law involving any beneficiary of this exercise of authority (or any other person) This exercise of authority is not intended to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person

This exercise of authority shall apply only to applicants who have been found to meet all other requirements for access to and eligibility for the program or immigration benefit for which they are applying Among other requirements, the adjudicating U S Government representative must determine that the alien poses no danger to the safety and security of the United States

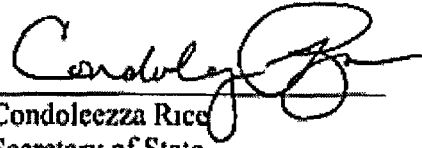
In accordance with Section 212(d)(3)(B)(ii) of the Act a report on the aliens to whom this exercise of authority is applied, on the basis of case by-case decisions by the Department of Homeland Security or the Department of State shall be provided to the specified congressional committees not later than 90 days after the end of the fiscal year

This determination is based on an assessment related to the foreign policy and national security interests of the United States as they apply to the particular persons described herein and shall not have any application with respect to other persons or to other provisions of U S law

Dated 10/15 2007



Michael Chertoff
Secretary of Homeland Security



Condoleezza Rice
Secretary of State

**Exercise of Authority under Section 212(d)(3)(B)(i)
of the Immigration and Nationality Act**

Following consultations with the Attorney General, the Secretary of Homeland Security and the Secretary of State hereby conclude, as a matter of discretion in accordance with the authority granted to each of us individually by Section 212(d)(3)(B)(i) of the Immigration and Nationality Act ("the Act"), considering the foreign policy and national security interests deemed relevant in these consultations, that Subsection 212(a)(3)(B)(iv)(VI) of the Act shall not apply with respect to material support provided prior to December 31, 2004, to ethnic Hmong individuals or groups, provided there is no reason to believe that the relevant activities of the recipients were targeted against noncombatants, and further provided the alien satisfies the agency or U S Consular Officer that he

- a) is seeking a benefit or protection under the Act and has been determined to be otherwise eligible for the benefit or protection,
- b) has undergone and passed relevant background and security checks, and
- c) has fully disclosed, in all relevant applications and interviews with U S government representatives and agents, the nature and circumstances of each provision of such material support

Implementation of this determination will be made by U S Citizenship and Immigration Services (USCIS), in consultation with U S Immigration and Customs Enforcement (ICE), or by U S consular officers as applicable, who shall ascertain, to their satisfaction, and in their discretion, that the particular applicant meets the criteria set forth above.

This exercise of authority may be revoked as a matter of discretion and without notice at any time with respect to any and all persons subject to it. Any determination made under this exercise of authority as set out above shall apply to any subsequent benefit or protection application, unless such exercise of authority has been revoked.

The U S Government does not support or condone efforts to overthrow or otherwise destabilize the Government of the Lao People's Democratic Republic. This exercise of authority shall not be construed to prejudice, in any way, the ability of the U S Government to commence subsequent criminal or civil proceedings in accordance with U S law involving any beneficiary of this exercise of authority (or any other person). This exercise of authority is not intended to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

This exercise of authority shall apply only to applicants who have been found to meet all other requirements for access to and eligibility for the program or immigration benefit for which they are applying. Among other requirements, the adjudicating U S Government representative must determine that the alien poses no danger to the safety and security of the United States.

In accordance with Section 212(d)(3)(B)(ii) of the Act, a report on the aliens to whom this exercise of authority is applied, on the basis of case-by case decisions by the U S Department of Homeland Security or by the Department of State, shall be provided to the specified congressional committees not later than 90 days after the end of the fiscal year.

This determination is based on an assessment related to the national security and foreign policy interests of the United States as they apply to the particular persons described herein and shall not have any application with respect to other persons or to other provisions of U S law.

Dated 10/5/2007



Michael Chertoff
Secretary of Homeland Security



Condoleezza Rice
Secretary of State